

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 20 FEB 2006

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Applicant's or agent's file reference <b>464.1030PCT</b>	FOR FURTHER ACTION    See Form PCT/IPEA/416	
International application No. <b>PCT/SE2004/001778</b>	International filing date (day/month/year) <b>29-11-2004</b>	Priority date (day/month/year) <b>02-01-2004</b>
International Patent Classification (IPC) or national classification and IPC <b>See Supplemental Box</b>		
Applicant <b>Interactive Productline AB et al</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
  - a. ☒ (sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:
    - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:
 

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand  <b>10-06-2005</b>	Date of completion of this report  <b>06-02-2006</b>
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**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Cover sheet

**INTERNATIONAL PATENT CLASSIFICATION (IPC) :**

**A63F 13/10 (2006.01)**

**A61B 5/0476 (2006.01)**

**A63F 9/14 (2006.01)**

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. I Basis of the report

1. With regard to the language, this report is based on:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rules 12.3(a) and 23.1(b))
- ☐ publication of the international application (Rule 12.4(a))
- ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1 - 6 \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- pages \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- pages\* 1 - 2 received by this Authority on 27-01-2006
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the drawings:
- pages 1 - 2 \_\_\_\_\_ as originally filed/furnished
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	<u>1-7</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-7</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-7</u>	YES
	Claims		NO

## 2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

D1: US 5 213 338 A  
D2: WO 01 07 128 A1

The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and shows a game for two players rotating a disc by changing their respective brain wave intensity.

The game described in claim 1 differs from what is known through D1 in that the players are rolling a magnetic ball in different directions by changing their brain wave frequency. A frequency close to 3 Hz and lower than that of the opponent moves the ball in the x-direction. A frequency of about 18 Hz and higher than that of the opponent moves the ball in the y-direction. The subject-matter of claim 1 is therefore novel (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as constructing a game where a ball is rolled in different directions depending on the brain wave frequency of the players. Neither D1, D2 nor a combination of the two, give any information which would lead a person skilled in the art in the direction of the solution proposed in claim 1. The solution to the above stated problem proposed by claim 1 is therefore considered to involve an inventive step (Article 33(3) PCT).

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Supplemental Box

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Continuation of: V

Claims 2-7 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

All claims are considered to involve an inventive step.

## AMENDED CLAIMS

1. A method of playing a game, comprising:  
providing a first player (44) with a sensor (30) and a second player (46) with a sensor (32) for measuring brain wave frequencies of the players (44, 46);  
the first player (44) rolling a magnetic ball (38) on top of a playing area (12) in an x-direction toward the second player (46) when the brain wave frequency of the first player (44) is being between 3-12 Hz and the brain wave frequency of the first player (44) is being below a brain wave frequency of the second player (46), the first player (44) increasing a velocity of the magnetic ball by lowering the brain wave frequency towards 3 Hz; and  
the first player (44) rolling the ball (38) in a y-direction perpendicular to the x-direction when the brain wave frequency of the first player (44) is at least 18Hz and the brain wave frequency of the first player is greater than the brain wave frequency of the second player.
2. The method according to claim 1 wherein the method further comprises floating the unit (38) a constant distance (D) over the playing area (12).
3. The method according to claim 1 wherein the method further comprises measuring theta wave, alpha wave and beta wave frequencies of the brains of the players (44, 46).
4. The method according to claim 1 wherein the method further comprises the player (44) navigating the unit (38) through a labyrinth (23) by moving the unit (38) in both the x-direction and the y-direction.
5. The method according to claim 1 wherein the method further comprises the player (44) moving the unit (38) in the x-direction by lowering the brain wave frequency (40) to a value that is lower than a value of a brain wave frequency (42) while the player (46) simultaneously moves the unit (38) in the y-direction

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when the brain wave frequency (42) exceeds 18 Hz.

6. The method according to claim 1 wherein the method further comprises the player (44) winning the game by moving the unit (38) to a segment (20) adjacent to the player (46).

7. The method according to claim 1 wherein the method further comprises the player (46) losing the game by moving the unit (38) over an edge (27, 29) in the y-direction.

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AMENDED SHEET